

DEC. 23. 2003 12:13PM

NO. 186 P. 1

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### FACSIMILE COVER SHEET

**TO:** Examiner: ULA RUDDOCK - ART UNIT: 1771 - U. S. Patent and Trademark Office

**CLIENT NAME/NUMBER:** CMI - 64908

**TELEPHONE:** 703-305-0066

**FAX NO:** 703-872-9306

**FROM:** Paul J. Ditmyer

**DATE:** December 23, 2003

**NUMBER OF PAGES (INCLUDING COVER SHEET):** 10

**COMMENTS/INSTRUCTIONS:**

Please see attached Amendment After Final in response to the Examiner's Office Action of October 3, 2003 for U.S. Patent Application Serial No. 09/680,721.

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NO. 186 --P. 2--

Case No. 64908

**Mail Stop Non-Fee Amendment**  
**Commissioner for Patents**  
**P.O. Box 1450**  
**Alexandria, VA 22313-1450**

In re Application of: **GREGG ET AL.**  
Serial No.: **09/680,721**  
Filed: **OCTOBER 6, 2000**  
For: **BACKERBOARD SHEET INCLUDING AERATED CONCRETE CORE**

Sir:

Transmitted herewith is an Amendment for in the above-identified application.

- ☐ Small entity status of this application under 37 CFR § 1.27 has been established by a verified statement previously submitted
- ☐ A verified statement to establish small entity status under 37 CFR § 1.27 is enclosed.
- ☒ No additional fee is required.

The fee has been calculated as shown below:

	(Col. 1)	(Col. 2)	(Col. 3)	SMALL ENTITY		LARGE ENTITY	
FOR:	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	FEE	RATE	FEE
TOTAL CLAIMS	15	64	0	X 9	\$	X 18	\$
INDEPT CLAIMS	2	5	0	X 42	\$	X 84	\$
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				+ 135	\$	+ 270	
				TOTAL ADD'L FEE		TOTAL ADD'L FEE	\$ 0

\* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.  
\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.  
\*\*\* If the "Highest Number Previously Paid For: IN THIS SPACE is less than 3, write "3" in this space. The  
"Highest Number Previously Paid For" (Total or Independent) is the highest number found from the  
equivalent box in Col. 1  
of a prior amendment of the number of claims originally filed.

- ☒ The Commissioner is hereby authorized to charge or credit any discrepancies in fee amounts to Deposit Account No. 01-0484.
- ☒ **PLEASE ADDRESS ALL CORRESPONDENCE TO ATTORNEY OF RECORD: CHRISTOPHER F. REGAN**
- ☒ Please associate this application with Customer No. 27975.



27975

PATENT TRADEMARK OFFICE

December 23, 2003  
DATE

*Paul J. Dittmyer*  
PAUL J. DITMYER  
REG. NO. 40,455

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NO. 186 P. 3

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:	)
GREGG ET AL.	)
Serial No. 09/680,721	) Examiner: U. RUDDOCK
Filing Date: OCTOBER 6, 2000	) Art Unit: 1771
For: BACKERBOARD SHEET INCLUDING	) Attorney Docket No. 64908
AERATED CONCRETE	) Telefacsimile No. 703-872-9306

AMENDMENT AFTER FINAL

Mail Stop Amendment AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Responsive to the Office Action of October 3, 2003,  
please enter the amendments and remarks set out below.

Amendments to the Claims are reflected in the listing of claims  
which begins on page 2 of this filing.

Remarks begin on page 6 of this filing.